## IN THE SUPREME COURT OF THE STATE OF NEVADA

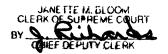
ROBERTA STEVENS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43566

FILED

AUG 1 9 2004

## ORDER DISMISSING APPEAL



This is a proper person appeal from an order of the district court denying appellant's post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Joseph T. Bonaventure, Judge.

Our review of this appeal indicates that the district court entered its order denying appellant's petition on November 12, 2003. The district court served notice of entry of that order on appellant on December 26, 2003. Appellant did not file the notice of appeal, however, until July 6, 2004, well after the expiration of the thirty-day appeal period prescribed by NRS 34.575. An untimely notice of appeal fails to vest jurisdiction in

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this court.<sup>1</sup> Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

<del>Becker</del>, J. Becker

Agosti, J.
Gibbons

cc: Hon. Joseph T. Bonaventure, District Judge Roberta Stevens Attorney General Brian Sandoval/Carson City Clark County District Attorney David J. Roger Clark County Clerk

<sup>&</sup>lt;sup>1</sup>See <u>Lozada v. State</u>, 110 Nev. 349, 871 P.2d 944 (1994).